

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

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MELANIE M. COLON,

Index No. 7519/07

Plaintiff,

DEMAND FOR BILL OF PARTICULARS

-against-

BERNARDIN GUTTIERRA BERNABE,
SALEM TRUCK LEASING, INC. and
PIGTAINER, INC.

Defendants.

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S I R S:

PLEASE TAKE NOTICE, that pursuant to CPLR §3041 to 3044, plaintiff is required to serve upon the undersigned attorneys for Defendant, within 20 days hereof, a Verified Bill of Particulars concerning the following matters:

1. The date, time and location of the occurrence.
2. Detailed description of each physical and/or mental injury sustained.
3. Set forth in what respect plaintiff has sustained a serious injury as defined by Insurance Law §5102(b).
4. Set forth in what respect plaintiff has sustained Economic Loss greater than the basic Economic Loss as defined by Insurance Law §5102(a).
5. Set forth each injury claimed to have resulted in a permanent disability, with a complete description of the nature and degree of disability.
6. The periods of (a) total disability; (b) partial disability.
7. Length of time confined to: (a) bed; (b) home; (c) hospitals.
8. The name of every hospital, clinic or institution where any treatment or examination was rendered, and dates of admission and discharge.

9. Total amounts claimed as special damages for treatment or examination in hospitals, clinics and/or institutions as a result of the injuries alleged in the Complaint, including a detailed statement as to how such special damages were computed.
10. The name and address of every treating physician, practitioner or therapist who conducted an examination or rendered treatment, and dates of examination and treatment.
11. Name and address of each employer; if self-employed, state nature of self-employment and business address.
12. Length of time incapacitated from employment.
13. The position held and/or type of work performed by plaintiff.
14. Total amounts claimed as lost earnings, including a statement as to how such lost earnings were computed.
15. If plaintiff was a student, give the name and address of the school attended and the length of time incapacitated from attending said school.
16. A general statement of the acts or omissions constituting the negligence claimed of this defendant.
17. A statement of each and every statute or ordinance which it is claimed the defendant violated.
18. The specific exceptions under CPLR §1602 upon which plaintiff relies.

Dated: New York, New York
March 9, 2007

HARDIN, KUNDLA, MCKEON & POLETTI,
P.A.
Attorneys for Defendant, PIGTAINER,
INC., BERNARDIN GUTIERREZ BERNABE and
SALEM TRUCK LEASING, INC.
110 William Street
New York, New York 10038
(212) 571-0111

By: _____

Stephen J. Donahue

TO: Thomas J. Lavin, Esq.
LAW OFFICES OF THOMAS J. LAVIN
Attorney for Plaintiff, Melanie M. Colon

AFFIDAVIT OF SERVICE

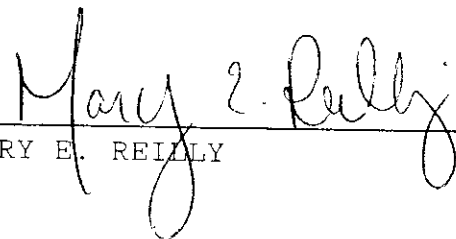
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

MARY E. REILLY, being duly sworn, deposes and says:

I am not a party to the action, am over eighteen years of age,
and reside in Staten Island, New York . On March 9, 2007, I served
the within **DEMAND FOR BILL OF PARTICULARS** on:

Thomas J. Lavin, Esq.
LAW OFFICES OF THOMAS J. LAVIN
2980 Bruckner Boulevard
Bronx, New York 10465
718-829-7400
Attorney for Plaintiff, Melanie M. Colon

the address designated by said party for that purpose, by
depositing a true copy of same enclosed in a postpaid properly
addressed wrapper, under the exclusive care and custody of the
United States Postal Service.



MARY E. REILLY

Sworn to before me this 9th
day of March, 2007



Notary Public

JOSHUA SELTZER
Notary Public, New York
No. 02SE6135922
Qualified in Kings County
Commission Expires 12/31/09